



**DEPARTMENT OF HEALTH AND SOCIAL SERVICES
DIVISION OF DEVELOPMENTAL DISABILITIES SERVICES**

**GOVERNOR'S ADVISORY COUNCIL
TO THE DIVISION OF DEVELOPMENTAL DISABILITIES SERVICES**

April 11, 2014

The Governor's Advisory Council to the Division of Developmental Disabilities Services met on April 11, 2014, at the 1056 Woodbrook Conference Room, Dover.

COUNCIL MEMBERS PRESENT: Timothy F. Brooks, Ed.D., Acting Chair
Thomas Rust
Jamie Doan
Terri Hancharick

COUNCIL MEMBERS ABSENT: Anthony Horstman
Angie Sipple

STAFF MEMBERS PRESENT: Jane Gallivan
Marie Nonnenmacher
Warren Ellis
Pat Weygandt
Frann Anderson
Vicky Gordy - minutes

GUESTS PRESENT: Vicki Haschak
Terry Olson
Gary Cassedy
Jeanne Lugaro
Brian Hartman

CALL TO ORDER: The meeting was called to order at 1:00 p.m.

NEXT MEETING: May 20, 2014 - 10 a.m. – 12 p.m.
1056 Woodbrook Conference Room, Dover

APPROVAL OF MINUTES The minutes from the March 18, 2014 were not reviewed by the Council and will be presented at next meeting as well as January 30, 2014 minutes.

Additions to the Agenda

Jamie Doane reported additions to the Announcements and Informational Items section.

Homes for Life

A letter requesting to develop two apartments and one townhouse on the waterfront in Wilmington for DDDS housing options was received by Secretary Langraft's office from Homes for Life, which was forwarded to DDDS Division Director, Jane Gallivan. Jane asked Homes for Life to engage with ARC to follow process. DDDS looked at the properties suggested to be housing options and concluded that the two apartments were appropriate. During the ARC Housing Committee meeting, DDDS expressed the position to move forward with developing the apartments but not the townhouse due to the general layout. One Housing Committee member agreed that the townhouse was not suited for development. Jane is in the process of writing a letter to ARC agreeing to the development of the two apartments.

Unionizing Attendant Care Services

It was reported that the SEIU is trying to unionize attendant care services, aka personal care assistants in Delaware. Self advocates and advocates are upset due to working hard to gain self direction, which some say may be lost if this Union is supported in Delaware. Family members who care for clients (adult sons, daughters, siblings, etc.) will need to pay union fees monthly (approximately \$50 per month), although the union cannot give a clear answer of what is received for the monthly union fee. People who work in this service are typically lower paid workers who may have difficulties managing the \$50 per month union fee. Terri Hancharick met with Representative Barbieri and Senator Hall-Long giving reasons why she did not want the union in Delaware. Terri voiced that she believes good reasons for not unionizing in Delaware were provided to the Representative and Senator. Legislation is in the process of being developed. Kyle Hodges will take the lead and will review the legislation when available.

DDDS Housing Vacancies

Currently, there are 40 vacancies (4.7%); of those vacancies, 33 are in group homes (15 are ARC homes) and seven are in CLA's. Vacancies constantly fluctuate with no common theme. Fifty five residents have been placed this year and 29 are in the process of "shopping for placement". Preparations are being made to mail another set of "shopping" letters in the near future, therefore the "shopping for placement" number will increase.

Monthly Census

The monthly census was deferred until May, which will reflect quarterly census information. The question was raised if it is more valuable for the Council to receive quarterly census information instead of monthly. It was agreed that census information be presented to the Council quarterly.

Disability Day at the Legislature

The 7th Annual Disability Day at Legislative Hall was held on April 2nd beginning at 11 a.m. Tim Brooks, Terri Hancharick, Brian Hartman and Vicki Haschak attended. Anthony Horstman attended and was one of the sponsors of the event. Tim reported a lot of interaction between attendees and legislators occurred and that legislators really had a sense of happenings in the DD community.

Update on Therap

Only attendees who attended today's mandatory bidders meeting will be able to present a bid for the electronic case management system. Reportedly, approximately 30 attended which represented 15 – 16 companies. The following is the future sequence of events to occur to make selection:

- Proposals due: May 19th
- Demonstrations completed by: June 6th
- Notification of contract award: June 20th
- Contract signed by: July 18th
- Project to begin: August

There are no cost parameters due to this being a “fixed cost contract”. Robert Goodhart has taken the lead in this project and proved to be instrumental in getting the electronic case management system and RFP off the ground. He has enhanced communication tremendously, not only with Providers but with DDDS employees as well.

Report to the Legislature on Family Support

The Family Support Waiver Plan has been submitted and is currently at the Office of Management and Budget to review and rework the fiscal piece before being submitted to the Legislature. The report outlined the process that occurred in order to receive input regarding what types of services would be most beneficial for families. The common theme among families is the inability to navigate service options and/or how to obtain informational resources. Families asked for maximum flexibility in the waiver in order to accommodate different family needs. Some families would like a menu of services while others would prefer to select specific services utilizing a capped budget. Nationwide, the highest level of family satisfaction occurs when family/individual is in control of choosing specific services utilizing a capped budget, which provides individual and family choices and a sense of purchases. Statistics prove that when a capped budget is utilized 70% of individuals do not reach cost cap.

The following are basic fundamentals needed to implement a Family Support Waiver:

- Case management
- Planning process
- System adjustment to manage claims
- New positions (6)

It was made clear in the report that DDDS cannot implement a new waiver without the additional six positions identified in the report. Due to federal matching state dollars, if waiver is implemented some additional funding will be required although not significant. Good

experienced data is vital for cost projections. The fiscal portion of report has been challenging. DDDS Deputy Director, Marie Nonnenmacher has worked tirelessly to get realistic fiscal information to legislators and has done a great job.

Once released, the Council will receive copies of Family Support Report.

Disability Policy Seminar

Terri Hancharick attended the 2014 Disability Policy Seminar that occurred April 7th – 9th in Washington DC. Currently, 50% of the legislators in congress are new and many are retiring soon. Therefore, the government's role and the future of IDD services may be necessary to be readdressed with Washington DC by the IDD community to ensure future outcomes.

The importance of the United Nations Treaty and Civil Rights Movement was discussed during the seminar. Teri reported that Senator Harkins continues to support shifting the expectation for people with intellectual disabilities toward integrated employment. Currently his focus is on youths between 16 – 24 years of age not being funneled from school to sheltered workshops but being supported by supported employment services.

Rhode Island Settlement Agreement

The Council discussed the Rhode Island Settlement Agreement which references Title II of the ADA which requires people with disabilities to be served in "the most integrated setting" that is appropriate for them. Discussion included the similarities of Rhode Island and Delaware. DDDS is beginning to look at redesigning the system collaboratively with providers.

Deshaies Consulting who completed the rebasing rate report for DDDS is now the CEO of St. John's, an agency serving three states. This agency has expertise in teaching other providers how to convert from sheltered workshops.

Judge Rotenberg Center

DDDS continues to wait for the fair hearing requested by the individual's family members and/or guardians. It was reported that the electrical devices that Judge Rotenberg Center utilizes for treatment of patients has never been approved by the FDA.

Waiver Renewal

DDDS has received minor "informal" questions from CMS regarding the HCBS Waiver renewal. All signs point to CMS approving the waiver renewal. Once approved, the HCBS Waiver will be renewed for five years.

Pathways to Employment

The State Plan amendment was submitted to CMS in February. The quality assurance measures are complete which identifies data resources. An "employment navigator" has been added to list

of services. A target date of July 1, 2014 has been established but more time will be required to begin full operation.

Announcements and Informational Items

Frann Anderson presented “Licensing and Medicaid Certification – Quality Service Reviews” to the Council. The presentation described how the DDDS Office of Quality Improvement inspection process occurs.

Ms. Anderson reported the case managers are responding well to working directly with OQI in an effort for case managers to become more invested and empowered. Mike Erixson, DDDS Emergency Operations Coordinator has recently presented “Emergency Planning” during Families Speaking Up meetings. Technical assistance to develop an emergency plan was offered to providers by DDDS.

Ms. Jamie Doane announced that in celebration of the 60th anniversary of Camp Fairlee a Homecoming will occur on September 6, 2014. More information will be available in the future. Ms. Doane also presented a “Save the Date” flyer for the Easter Seals Walk With Me event, scheduled for October 19, 2014. Ms. Doane suggested the flyer be distributed to group homes in an effort for the IDD community to engage in this wonderful community event.

Mr. Terry Olson announced that The ARC of Delaware is celebrating its 60th anniversary on May 1, 2014 at Buena Vista in New Castle.

Adjournment

The meeting adjourned at 3:05 p.m.